Basic information

2017/2133(IMM) IMM - Members' immunity	Procedure completed
Request for the waiver of the immunity of Manolis Kefalogiannis **Subject** 8.40.01.03 Members' immunity	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
JURI Legal Affairs	CAVADA Jean-Marie (ALDE)	12/07/2017
	Shadow rapporteur ZWIEFKA Tadeusz (PPE) REGNER Evelyn (S&D) DZHAMBAZKI Angel (ECR) CHRYSOGONOS Kostas (GUE/NGL) HAUTALA Heidi (Verts/ALE) LEBRETON Gilles (ENF)	

Key events

Date	Event	Reference	Summary
10/10/2018	Vote in committee		
16/10/2018	Committee report tabled for plenary	A8-0333/2018	Summary
23/10/2018	Decision by Parliament	T8-0386/2018	Summary
23/10/2018	Results of vote in Parliament		
23/10/2018	End of procedure in Parliament		

Technical information

Procedure reference	2017/2133(IMM)
Procedure type	IMM - Members' immunity
Procedure subtype	Waiver of immunity
Legal basis	Rules of Procedure EP 6

Other legal basis	Rules of Procedure EP 165
Stage reached in procedure	Procedure completed
Committee dossier	JURI/8/10534

Documentation gateway				
European Parliament				
Document type	**Committee**	**Reference**	**Date**	**Summary**
Committee report tabled for plenary, single reading		A8-0333/2018	16/10/2018	Summary
Text adopted by Parliament, single reading		T8-0386/2018	23/10/2018	Summary

Additional information		
Source	**Document**	**Date**
European Commission	EUR-Lex	

Request for the waiver of the immunity of Manolis Kefalogiannis

2017/2133(IMM) - 16/10/2018 - Committee report tabled for plenary, single reading

The Committee on Legal Affairs adopted the report by Jean-Marie CAVADA (ALDE, FR) on the request for waiver of the immunity of Manolis KEFALOGIANNIS (EPP, EL).

The request for waiver of Manolis Kefalogiannis' immunity was transmitted on 31 May 2017 by the Public Prosecutor of the Supreme Court of the Hellenic Republic in order to initiate criminal proceedings against him for two alleged offences.

Manolis Kefalogiannis is accused of having attempted to commit **fraud affecting the financial interests of the European Union**, resulting in a loss of more than EUR 73 000, for having attempted to illegally misappropriate part of his assistant's salary for an amount of EUR 4 240 per month between July 2014 and the end of 2016.

On the basis of the information and explanations provided in this case, including the replies given by the Deputy Public Prosecutor of the Hellenic Republic during the exchange of views conducted with him, and given the circumstances in which the case against Manolis Kefalogiannis was dealt with by the authorities involved, the uncertainties as to the elements on which the request for waiver of immunity is based and the serious doubts surrounding the proceedings, it therefore appeared that this is a **case in which *fumus persecutionis* can be assumed** to be present.

The committee therefore recommended that the European Parliament should decide **not to waive the immunity** of Manolis Kefalogiannis.

Request for the waiver of the immunity of Manolis Kefalogiannis

2017/2133(IMM) - 23/10/2018 - Text adopted by Parliament, single reading

The European Parliament decided, by 307 votes to 253 with 41 abstentions, **not to waive the immunity of Manolis Kefalogiannis** (EPP, EL).

The Deputy Public Prosecutor of the Supreme Court of the Hellenic Republic has requested that the parliamentary immunity of a Member of the European Parliament, Manolis Kefalogiannis, be waived in order to initiate criminal proceedings against him for two alleged offences.

Manolis Kefalogiannis is alleged to have attempted to commit fraud affecting the financial interests of the European Union, resulting in a loss of more than EUR 73 000, for attempting to illegally misappropriate part of his assistant’s salary by an amount of EUR 4 240 per month between July 2014 and the end of 2016.

Given the circumstances in which the case against Manolis Kefalogiannis was dealt with by the authorities involved, the uncertainties as to the elements on which the request for waiver of immunity is based and the serious doubts surrounding the proceedings, including the reasons underlying the request for waiver of immunity, it appears to be a case in which *fumus persecutionis* can be assumed to be present (the underlying intention of the judicial procedure may be to harm the Member's political activity or reputation and thus the independence of Parliament.

Therefore, Parliament considered that the immunity of Manolis Kefalogiannis should not be waived.